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31 JUL 2006

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HAYNES AND BOONE, LLP  
901 MAIN STREET  
SUITE 3100  
DALLAS TX 75202-3789

In re Application of  
Brisco et al.  
Application No.: 10/553,566  
PCT No.: PCT/US04/11973  
Int. Filing Date: 15 April 2004  
Earliest Priority Date: 17 April 2003  
Attorney Docket No.: 25791.277.06  
For: Apparatus For Radially Expanding And  
Plastically Deforming A Tubular Member

DECISION  
ON  
PETITION

The petition to revive under 37 CFR 1.137(b) filed 19 June 2006 in the above-captioned application is hereby **GRANTED** as follows:

Applicants seek revival on the basis "that the abandonment was unintentional," stating that "The failure to pay was unintentional" and that "Applicant had no intention of allowing this application to go abandoned." This is being construed as a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Petitioner must notify the Patent and Trademark Office if such an interpretation of the statement in the petition is not correct. Thus, the statements in the petition are being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that counsel has filed the required reply in the form of authorization to charge the basic national fee to a Deposit Account, no. 08-1394, and has also authorized payment of the petition fee from the Deposit Account (it is noted that the large entity petition fee is \$1500.00 while the large entity basic national fee is \$300.00). Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office for further processing, including the preparation and mailing of a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring an executed oath or declaration compliant with 37 CFR 1.497(a) and (b) and the surcharge under 37 CFR 1.492(h).

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